PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, MARCH 25 1980

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING March 25 A.D., 19 80, IN Regular SESSION. PRESIDENT Vivian G. Schmidt IN THE CHAIR, AND Charles W. Westerman CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BURNS ✓, EISBART ✓, GiaQUINTA ✓,
NUCKOLS ✓, SCHMIDT, D. ✓, SCHMIDT, V. ✓,
SCHOMBURG ✓, STIER ✓, TALARICO ✓,
ABSENT
COUNCILMAN , , ,
, , ,

THE INVOCATION WAS GIVEN BY Reverend Unger

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF , 19 . MOTION MADE AND CARRIED THAT REPORT BE MADE A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR March 11, 19 80
, 19 ,
SPECIAL , 19 ,
SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

March 13, 1980

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, March 13, 1980, I have approved the following ordinances passed by the Common Council at its regular meeting of March 11, 1980.

(Bill No. A-80-02-14)
(as amended)
APPROPRIATION ORDINANCE NO. A-01-80

AN EMERGENCY ORDINANCE appropriating funds from the General Fund No. 010 and transferring funds from the Controller's Fund No. 010-002-4111, the Board of Works Fund No. 010-006-4111, the Law Fund No. 010-009-4111, the Public Affairs Fund No. 010-020-4111, to the General Fund No. 010, and appropriating funds for the defraying of certain salary expenses of several departments of the Civil City of Fort Wayne for the year ending December 31, 1980

(Bill No. A-80-02-23)
APPROPRIATION ORDINANCE NO. A-02-80

AN ORDINANCE transferring and appropriating $43,500.00 from the Park Cumulative Building Fund to Account No. 03-355-355-4001 in the 1980 budget of the Department of Parks and Recreation to provide funds for the purchase of 2.545 acres of land adjacent to Franke Park

(Bill No. A-80-02-24)
APPROPRIATION ORDINANCE NO. A-03-80

AN ORDINANCE transferring and appropriating $456,000.00 from Account No. 302-121-010, "Park General Fund", to Account No. 4-02-121-121-4265, "Services Contractual" in the 1980 budget of the Department of Parks and Recreation, to provide for rebuilding the Diehm Museum of Natural History in Franke Park

(Bill No. A-80-02-25)
APPROPRIATION ORDINANCE NO. A-04-80

AN ORDINANCE transferring and appropriating $40,075.00 from the Park Cumulative

Building Fund to Account No. 03-355-355-401 of the 1980 budget of the Department of Parks and Recreation, to be used to match a federal grant of funds for the development of Jehl Park

(Bill No. S-80-01-22)
SPECIAL ORDINANCE NO. S-19-80

AN ORDINANCE amending Special Ordinance No. S-130-79, fixing salaries of appointed officers, employees and deputies, etc. for the year 1980, adopted July 31, 1979

(Bill No. S-80-02-16)
(as amended)
SPECIAL ORDINANCE NO. S-20-80

AN EMERGENCY ORDINANCE establishing the salaries of employees and new positions in certain of the Civil City Departments of the City of Fort Wayne for the remainder of the year 1980, and terminating other positions

(Bill No. S-80-02-26)
SPECIAL ORDINANCE NO. S-21-80

ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1979 (PENS-CO. PROPERTIES)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. S-80-02-27)
SPECIAL ORDINANCE NO. S-22-80

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $900,000.00 ECONOMIC DEVELOPMENT REVENUE BONDS - SERIES A AND B (ALLEN ASSOCIATES THREE PROJECT) OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF FUNDING A LOAN TO ALLEN ASSOCIATES THREE IN ORDER TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN ECONOMIC DEVELOPMENT FACILITIES LOCATED WITHIN THE BOUNDARIES OF THE COUNTY OF ALLEN NEAR THE CITY FOR USE BY ALLEN ASSOCIATES THREE AND LEASED TO THE PRUDENTIAL INSURANCE COMPANY OF AMERICA: AUTHORIZING EXECUTION OF THE LOAN AGREEMENT, MORTGAGE AND SECURITY AGREEMENT; APPROVING THE FORMS OF THE FIRST MORTGAGE NOTE - SERIES A, PROMISSORY NOTE - SERIES B, AND THE COLLATERAL ASSIGNMENT OF RENTS AND APPROVING THE FORMS OF THE LEASE THE LESSEE'S STATEMENT AND CONSENT TO ASSIGNMENT, THE MORTGAGOR'S AFFIDAVIT, BUY-SELL AGREEMENT, AFFIDAVIT IN REGARD TO PAYMENT FOR PERSONAL PROPERTY, RE-ASSIGNMENT OF ASSIGNMENT OF RENTS AND ASSIGNMENT OF LOAN AGREEMENT AND SECURITY AGREEMENT; AND AUTHORIZING THE TERMS AND SALE OF SAID BONDS

(Bill No. S-80-02-28)
SPECIAL ORDINANCE NO. S-23-80

AN ORDINANCE approving an Agreement to Purchase Real Estate by Lee M. Heath and Derald Dafforn

(Bill No. S-80-02-33)
SPECIAL ORDINANCE NO. S-24-80

AN ORDINANCE approving Civil City Purchase Order No. 4-08030 with DeHaven Chevrolet for trucks for Street Department

(Bill No. R-80-02-29)
RESOLUTION NO. R-22-80

A RESOLUTION confirming the Declaratory Resolution to amend the Urban Renewal Plan for Neighborhood Development Program (IND. A-14) adopted by the City of Fort Wayne, Department of Redevelopment on October 8, 1979 and confirming the Approval Order and Resolution of the Fort Wayne City Plan Commission concerning the above on November 26, 1979

(Bill No. R-80-02-31)
RESOLUTION NO. R-23-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $260,000 Economic Development Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-80-03-04)
RESOLUTION NO. R-24-80

AN AMENDED RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of $5,500,000 Economic Development Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project

(Bill No. R-80-03-05)
RESOLUTION NO. R-25-80

A RESOLUTION authorizing payment to a repair agency for repair of a vehicle

(Bill No. R-80-03-06)
RESOLUTION NO. R-26-80

A RESOLUTION authorizing the temporary advancement of funds from the Revenue Sharing Trust Fund, Motor Vehicle Highway Fund, and Local Road & Street Fund to the General Fund for the period ending December 31, 1980

(Bill No. R-80-03-07)
RESOLUTION NO. R-27-80

A RESOLUTION OPPOSING REQUESTED RATE INCREASE BY GENERAL TELEPHONE COMPANY OF INDIANA, INC.

(Bill No.G-79-12-15)
(as amended)
GENERAL ORDINANCE NO. G-06-80

AN ORDINANCE classifying, regulating and restricting the location, height, area, bulk and use of buildings and structures and the use of land within the territorial jurisdiction of the City Plan Commission of the City of Fort Wayne, Indiana, for said purposes dividing such territory into districts, and amending Chapter 33 of the Code of the City of Fort Wayne, Indiana, 1974

(Bill No. S-80-03-15)
SPECIAL ORDINANCE NO. S-25-80

AN ORDINANCE amending Chapter 24 of the Municipal Code of the City Fort Wayne, Indiana, of 1974 by deleting a section of Article VII and by deleting Article IX in its entirety

(Bill No. R-80-03-13)
(as amended)
RESOLUTION NO. R-21-80

A RESOLUTION SUBMITTING TO THE VOTERS OF THE CITY OF FORT WAYNE, INDIANA, THE QUESTION WHETHER SUCH MUNICIPALITY SHALL PURCHASE, ACQUIRE, AND OPERATE THE PRESENTLY OPERATING ELECTRIC UTILITY IN ORDER IN ITS PLACE TO ESTABLISH, HOLD AND OPERATE A MUNICIPALLY OWNED ELECTRIC UTILITY AND PROVIDING THAT A PORTION OF THE FUNDS NEEDED FOR SUCH PURPOSES, NOT IN ANY EVENT AN AMOUNT IN EXCESS OF ONE THIRD OF THE TOTAL COST OF SUCH UTILITY, MAY BE RAISED BY THE ISSUANCE AND SALE OF BONDS PLEDGING THE GENERAL CREDIT OF SUCH MUNICIPALITY

Respectfully yours,

Win Moses, Jr.
Mayor

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

6 March 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated street.

The proposed ordinance is designated as:

BILL NO. G-79-11-23

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
6th day of March 1980.

Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

6 March 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) street vacation ordinance acted upon by the City Plan Commission at their regular meeting held December 17, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-11-23

2. Intended Use: Vacated right-of-way will be utilized by the abutting property owners.

3. Plan Commission Recommendation: DO PASS with condition.

   This ordinance received a DO PASS recommendation for the following reason:

   a. The original purpose of Johnson Street was to serve Westfield Village Housing Project. The housing project has been demolished, therfore the need for the street no longer exists.

CONDITION: All appropriate easements are dedicated.

NOTE: All easements required have been submitted to the Plan Commission Office. A copy of the easement is attached to the original ordinance and on file in the Plan Commission Office.

If there are any questions with regard to this ordinance, please feel free to contact this office.

Respectfully submitted,

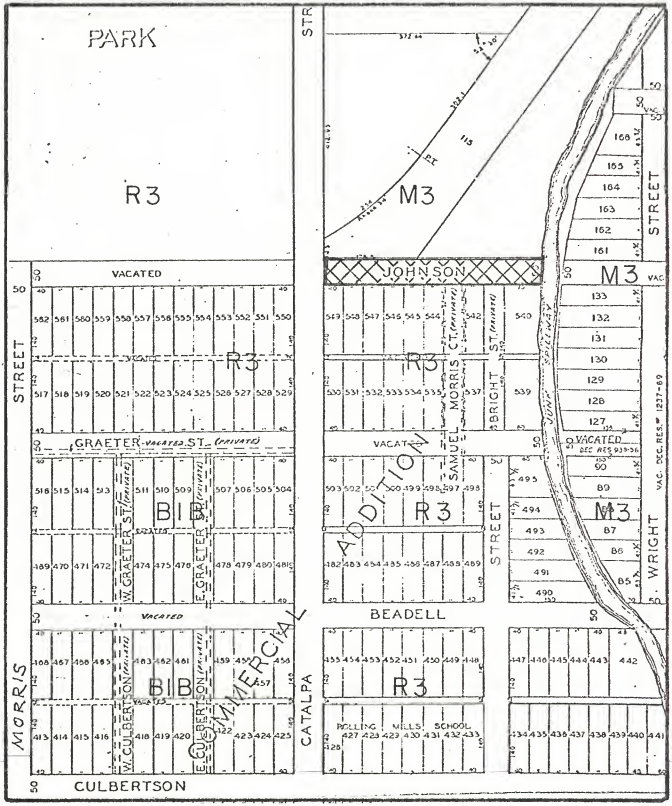
COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten pb

Gary F. Baeten
Senior Planner

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER



STREET TO BE VACATED

Map No. I-2

N

G-79-11-23

PREPARED BY R.K.

DATE 9-17-79

R E S O L U T I O N

WHEREAS, THE FORT WAYNE COMMUNITY SCHOOLS have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, to-wit:

That portion of Johnson Street East of Catalpa Avenue to the Junk Ditch

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1974, of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on December 10, 1979 at 3:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of the street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joyce Schlatter, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission December 17, 1979, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 6th DAY OF March 19 80

FORT WAYNE CITY PLAN COMMISSION

Joyce Schlatter

Joyce Schlatter
Secretary

68-231-10
3/19/8

RESOLUTION 68-231-10

WHEREAS, THE FORT WAYNE COMMUNITY SCHOOLS have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

That portion of Johnson Street East of Catalpa Avenue to the Junk Ditch

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public street has been routed through the follow departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Mark L. Akers Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of of a resolution adopted by the Fort Wayne Board of Works at their meeting held March 19 1980 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 19 DAY OF March 19 80

FORT WAYNE BOARD OF PUBLIC WORKS

Mark L. Akers, Chairman

Herbert R. Gamache, Member

Roberta Anderson-Staten, Member

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

6 March 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated street.

The proposed ordinance is designated as:

BILL NO. G-79-11-24

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
6th day of March 1980.

Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

6 March 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) street vacation ordinance acted upon by the City Plan Commission at their regular meeting held December 17, 1979. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-79-11-24

2. Intended Use: Vacated right-of-way will be utilitzed by the abutting property owners.

3. Plan Commission Recommendation: DO PASS with condition.

   This ordinance received a DO PASS recommendation for the following reason:

   a. The original purpose of Bright Street was to serve Westfield Village Housing Project. The housing project has been demolished, therefore the need for the street no longer exists.

CONDITION: All appropriate easement are dedicated.

NOTE: All easements required have been submitted to the Plan Commission Office. A copy of the easement is attached to the original ordinance and on file in the Plan Commission Office.

If there are any questions with regard to this ordinance, please feel free to call on us.

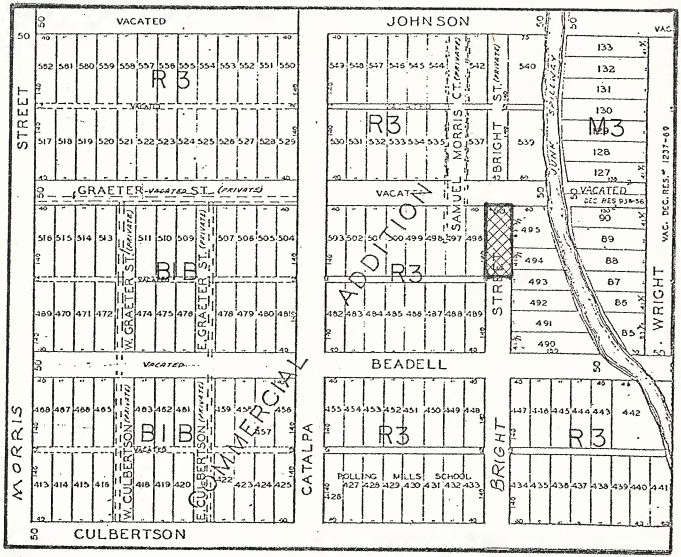
Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten pb

Gary F. Baeten
Senior Planner

GFB:pb



PORTION OF STREET TO BE VACATED

MAP NO. I-2

G-79-11-24

N

PREPARED BY RK

DATE 9-17-79

R E S O L U T I O N

WHEREAS, THE FORT WAYNE COMMUNITY SCHOOLS have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, to-wit:

That portion of Bright Street east of Lot 496 in Commercial Addition, lying between Lots 496, 495, 494 and 493

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on December 10, 1979 at 3:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FUTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdication of the vacation of said street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joyce Schlatter, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held Dec. 17, 1979, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 6th DAY OF March 19 80

FORT WAYNE CITY PLAN COMMISSION

Joyce Schlatter

Joyce Schlatter
Secretary

68-231-10

3/19/80

RESOLUTION 68-231-10

WHEREAS, THE FORT WAYNE COMMUNITY SCHOOLS have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

> That portion of Bright Street east of Lot 496 in Commercial Addition, lying between Lots 496, 495, 494 and 493

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Mark L Akers, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held March 19, 1980, and as same appears of record in the official records of said Board of Public Works.

DATED THIS 19 DAY OF March 1980

FORT WAYNE BOARD OF PUBLIC WORKS

Mark L. Akers, Chairman

Herbert R. Gamache, Member

Roberta Anderson-Staten, Member

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

17 March 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-80-01-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
17th day of March 1980.

Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

17 March 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held March 5, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-80-01-15

2. From R-1 to R-3

3. Intended Use: Professional Office

4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

a. This request is a logical extension of existing R-3 zoning and existing office uses.

CONDITION: Buffering will be provided along the east property line.

NOTE: The petitioner has sent a letter of agreement for the buffering. A copy is attached to the original ordinance and is on file in the Plan Commission Office.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 22, 1980 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-01-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 11, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

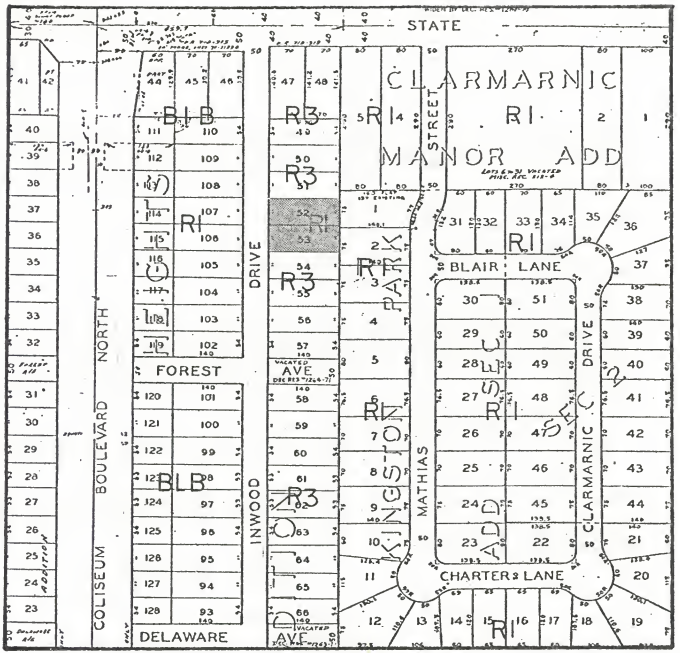
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 5, 1980.

Certified and signed this
17th day of March 1980.

Tu. Joyce Schlatter

Joyce Schlatter
Secretary



REQUEST TO CHANGE FROM R1 TO R3 ZONING

Map No. S-14

N

Z-80-01-15

PREPARED BY RK

DATE 1-7-80

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

17 March 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-79-09-06

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
17th day of March 1980.

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

17 March 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held March 5, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-79-09-06

2. From R-1 to B-3-B

3. Intended Use: Multi-Family Housing

4. Plan Commission Recommendation: DO PASS - Perfect to R-3

   This ordinance received a DO PASS recommendation for the following reason and with the following condition:

   a. The Commission feels that this proposed development may stimulate future residential growth and improvement in the neighborhood.

CONDITION:

The owner shall, at the time construction permits are requested, include landscape buffer along the south, east and west property lines of this project, on the site plan.

NOTE: An agreement to install the landscape buffer has been submitted by the petitioner. A copy is on file in the Plan Commission office and one is attached to the original ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 11, 1979 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-09-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 15, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

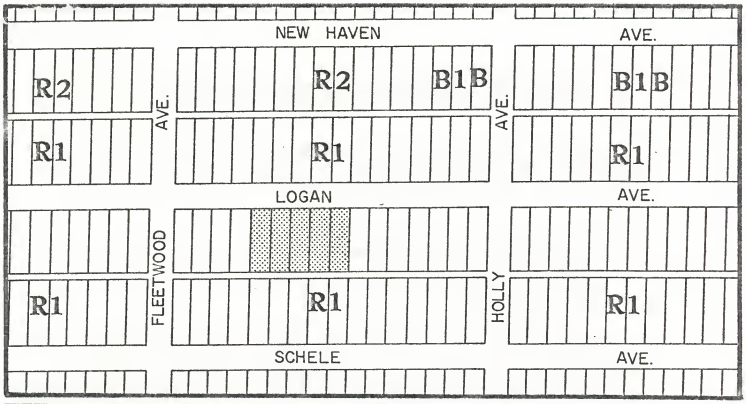
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 5, 1980.

Certified and signed this
17th day of March 1980.

Joyce Schlatter
Secretary

16



AMENDMENT - FROM R1 TO B3B

MAP NR. - R-3

N

Z-79-09-06

DRAWN BY MEG 8/23/1979

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 March 1980

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on an amendment to the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed amendment is designated as:

Bill No. Z-80-02-21

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of March 1980.

Tw. Joyce Schlatter

Joyce Schlatter
Secretary

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

25 March 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is an amendment to the Zoning Ordinance acted upon by the City Plan Commission at their meeting held March 24, 1980. The following are additional remarks pertaining to the ordinance.

1. Bill No. Z-80-02-21 - Day Care Home

2. Plan Commission Recommendation: DO PASS

   This amendment to the Zoning Ordinance received a DO PASS recommendation for the following reason:

   a. This amendment will provide much needed child care in the community while preserving the character of residential neighborhoods.

If there are any questions with regard to this amendment to the Zoning Ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 7/80/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Betty M. Stein, Chairwoman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 7/80 /E)

I hereby certify that I did this 11th day of March, 19 80 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 7/80 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 7/80 /E

(Adopted March 11, 19 80)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RES. 3/80/E and 5/80/E: Reg. Res. 3/80/E STOP INTERSECTION (EMERGENCY) 5/80/E TWO HOUR PARKING 8 AM - 6 PM (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 7, 19 80, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective March 11, 19 80, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Red Haw Dr. -- stop -- for Cinnamon Rd.

TWO HOUR PARKING 8 AM - 6 PM (EMERGENCY)

Randallia Dr. -- west side -- from 150 ft. no. of Lake Avenue to Nevada Ave.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 8/80/D
9/80/D
10/80/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Betty M. Stein, Chairwoman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 8/80/D / 9/80/D)

I hereby certify that I did this 12th day of March, 1980 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 8/80/D / 9/80/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

CHAIRMAN, Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 10/80/D)

I hereby certify that I did this 13th day of March, 19 80 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 10/80/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 8/80 /D

(Adopted March 12, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 10, 1980, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective March 12, 1980, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Commercial Rd. -- south side -- from the west right of way of Bluffton Rd. to 150 ft. W. thereof

REGULATORY RESOLUTION NO. 9/80 /D

(Adopted March 12, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 10, 19 80, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective March 12, 19 80, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Douglas St. -- southside -- from the west right of way to Barr St. to 75 ft. W. thereof.

REGULATORY RESOLUTION NO. 10/80/D

(Adopted March 13, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION (DELEGATED) ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 11, 1980, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective March 13, 1980, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Nordholme Ave. -- pref. -- at Dodge Ave.

Nordholme Ave. -- pref. -- at Kenwood Ave.

Charlotte Ave. -- pref. -- at Nordholme Ave.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 11/80/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Betty M. Stein, Chairwoman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 11/80/E)

I hereby certify that I did this 18th day of March, 19 80 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 11/80/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 11/80/E

(Adopted March 18, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND 6/80/E: NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 17, 1980, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective March 18, 1980, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

West State Blvd. -- south side -- from Tyler Ave. to the West City Limits

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Number: 12/80/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Betty M. Stein, Chairwoman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 12/80/E)

I hereby certify that I did this 19th day of March, 1980 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 12/80/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 12/80/E

(Adopted March 19, 1980)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY) and ONE-WAY STREET (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 17, 1980, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective March 19, 1980, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Boltz St. -- south side -- from Lafayette St. to Warsaw St.

ONE-WAY STREET (EMERGENCY)

Boltz St. -- westbound -- from Warsaw St. to Lafayette St.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 25th day of March, 19 80 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19_____.

_____
Charles W. Westerman
City Clerk